

**MINUTES OF COUNCIL MEETING
OCTOBER 26, 2006
6:30 P.M.**

The Murray City Council met in regular session on Thursday, October 26, 2006, at 6:30 p.m. in the Council Chambers of City Hall, with Mayor Rushing presiding.

Council Members Present: Robert Billington, Doris Parham, J. D. Outland, Dan Miller, Rita Henley, Pete Lancaster, Danny Hudspeth, Hugh Massey, Pat Scott, Jason Pittman, Butch Seargent, and Bill Wells.

Council Members Absent: None.

Staff Present: J. L. Barnett, Don Elias, Don Leet, Ken Claud, Michael Skinner, Candace Dowdy, David Roberts, Thomas Clendenen, Matt Mattingly, Philip Morris, Gail Mullins, Harla McClure, and Warren Hopkins.

Mayor Rushing recognized Rick Melton, CPA for Howe & Melton, CPA and asked that he provide a report on the audit for the Fiscal Year ending June 30, 2006. Attached is a copy of the power point presentation.

Dr. Miller moved, seconded by Mr. Billington to accept the audit as presented. With no further discussion, Mayor Rushing called for the voice vote which was unanimous in favor of the motion.

Minutes of the council meeting held October 12, 2006, were presented for approval. **Dr. Outland moved, seconded by Mr. Pittman,** to approve the minutes as written. With no discussion, Mayor Rushing called for a voice vote, which was unanimous in favor of the motion.

Ordinance Number 2006-1426 (first reading) an ordinance rezoning a 5.175 acre portion of land located on the southwest corner of Poor Farm Road and Opportunity Drive from Agriculture to B-2 (highway business) was presented to the council for a first reading. Said property is owned by Bruce and Kathy Barber. The Planning Commission recommended this rezoning to the council by a vote of 8-0 because the property is contiguous to a B-2 zoning district to the north; the future land use map indicates the existing zoning classification to be inappropriate and the proposed zoning more appropriate due to the economic and social changes in the area; and the anticipated commercial growth in this area due to the construction of Highway 80. **Mr. Pittman moved, seconded by Ms. Henley** to approve said Ordinance.

With no discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

AYES: J. D. Outland, Danny Hudspeth, Hugh Massey, Doris Parham, Pat Scott, Rita Henley, Robert Billington, Dan Miller, Butch Seargent, Jason Pittman, Pete Lancaster, and Bill Wells.

NAYS: None.

Mayor Rushing declared Ordinance Number 2006-1426 approved on a first reading.

Ordinance Number 2006-1427 (first reading) an ordinance annexing a 10.647 acre tract of land and a 0.355 acre portion of right-of-way on Gibbs Store Road was presented to the council for a first reading. Said property is owned by Patrick Sean and Huong Dinh Kelly. The Planning Commission recommended this annexation by a vote of 8-0 because the property is contiguous to the city boundaries; per the city's policy, since the Kelly's are requesting city utility services, annexation is required; and the property falls within the Urban Services Area for the city. **Mr. Billington moved seconded by Mr. Lancaster** to approve said Ordinance.

With no further discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

AYES: J. D. Outland, Danny Hudspeth, Hugh Massey, Doris Parham, Pat Scott, Rita Henley, Robert Billington, Dan Miller, Butch Seargent, Jason Pittman, Pete Lancaster, and Bill Wells.

NAYS: None.

Mayor Rushing declared Ordinance-Number 2006-1427 approved on a first reading.

Ordinance Number 2006-1428 (first reading) from Murray Planning Commission authorizing the city attorney to draft an ordinance annexing a 1.036 acre tract of land located on King Richard Drive was presented to the council for a first reading. Said property is located at 225 King Richard Drive and consists of lots 3 and 4 in Unit 3 of Sherwood Forest Subdivision and the right-of-way on King Richard Drive. The property is owned by Dwain and Margot McIntosh. The Murray Planning Commission recommended this annexation by a vote of 8-0 because it is contiguous to the city boundaries to the north and east; per the city's policy, since the McIntosh's are requesting city utility services, annexation is required; and the property falls within the Urban Services Area for the city. **Mr. Billington moved, seconded by Ms. Parham** to approve said Ordinance.

With no further discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

AYES: J. D. Outland, Danny Hudspeth, Hugh Massey, Doris Parham, Pat Scott, Rita Henley, Robert Billington, Dan Miller, Butch Seargent, Jason Pittman, Pete Lancaster, and Bill Wells.

NAYS: None.

Mayor Rushing declared Ordinance Number 2006-1428 approved on a first reading.

Resolution Number 2006-014 a Resolution authorizing the Mayor to execute the necessary documents between the Commonwealth of Kentucky, Transportation Cabinet, Department of Governmental Relations, and the City of Murray for Municipal Road Aid Discretionary Bond funding in the amount of \$153,000 for the replacement of bridges located at South 15th Street and Sycamore, Kentucky Avenue, and LP Miller Street was presented to the council for approval. **Mr. Hudspeth moved, seconded by Mr. Scott** to approve said Resolution.

With no discussion, Mayor Rushing called for the voice vote which was unanimous in favor of the motion.

Municipal Order 2006-022 reappointing Loretta Jobs to the Murray Planning Commission for a four year term to expire October 27, 2010, was presented to the council for approval. **Ms. Parham moved, seconded by Mr. Wells** to approve said reappointment. With no discussion, Mayor Rushing called for the voice vote which was unanimous in favor of the motion.

Municipal Order 2006-023 reappointing Howard Koenen to the Murray Planning Commission for a four year term to expire October 27, 2010 was presented to the council for approval. **Mr. Billington moved, seconded by Dr. Miller** to approve said reappointment. With no discussion, Mayor Rushing called for the voice vote which was unanimous in favor of the motion.

Municipal Order 2006-024 appointing Michael Jordan to the City of Murray Board of Zoning Adjustments for a four year term to expire October 27, 2010 was presented to the council for approval. **Ms. Parham moved, seconded by Mr. Pittman** to approve said appointment. With no discussion, Mayor Rushing called for the voice vote which was unanimous in favor of the motion.

Municipal Order 2006-025 appointing John Weatherly to the Electric Plant Board to fill the unexpired term of Tommy Carroll which will expire June 30, 2008 was presented to the council for approval. With no discussion, Mayor Rushing called for the voice vote which was unanimous in favor of the motion.

Mayor Rushing recognized Hugh Massey and requested that he provide a report from the public works committee meeting. Mr. Massey stated the committee met to discuss the recommendation to amend the zoning and subdivision regulations ordinances regarding stormwater conveyance and erosion control design.

Mr. Massey requested that David Roberts, Director of Planning and Engineering, to explain the recommended revisions to the council. Mr. Roberts stated that the stormwater ordinance has been in effect for approximately five years and the design criteria for a detention pond, which is a facility to hold the water back under rainfall conditions, has not been updated. He stated that the design needed to be better utilized and the requirements needed to be amended

so the detention pond could be more effective. The current requirements are under the 25 year, 24 hour storm event. The recommendation is for a 10 year and a 25 year 24 hour storm event would provide a better use of the facilities without having to enlarge the existing facilities or any future facilities. He stated it would hold more water back during a smaller rainfall event, which would increase efficiency and provide better erosion control and cleaner water.

Mr. Massey moved, as unanimously recommended by the Public Works Committee, to authorize the city attorney to draft an ordinance amending the zoning regulations and the subdivision regulations regarding the text amendment. **Dr. Outland seconded the motion.**

Mr. Scott questioned what exactly needed to be changed. Mr. Roberts stated what would change is the minimum design criteria for the design of the detention ponds. It would hold more water back under a less intense rainfall event in addition to what the design requirements currently are.

With no further discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

AYES: J. D. Outland, Danny Hudspeth, Hugh Massey, Doris Parham, Pat Scott, Rita Henley, Robert Billington, Dan Miller, Butch Seargent, Jason Pittman, Pete Lancaster, and Bill Wells.

NAYS: None.

Mayor Rushing declared the recommendation approved.

With no further business to come before the council, the meeting adjourned at 7:20 p.m.

H. Thomas Rushing, Mayor

Attest:

Harla McClure, City Clerk